

Introduced by Senator Dutton

February 5, 2010

An act to add Section 39601.1 to the Health and Safety Code, relating to air resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 960, as introduced, Dutton. State Air Resources Board: regulations: Legislative Analyst's Office: report.

Existing law imposes various functions and duties on the State Air Resources Board relating to reducing emissions of air pollutants. Existing law authorizes the state board to adopt standards, rules, and regulations necessary for the proper execution of those duties.

This bill would require the state board to submit a major regulation, as defined, to the Legislative Analyst's Office, as specified. The bill would require the Legislative Analyst's Office to prepare an analysis of the major regulation, with prescribed elements, to determine the costs and benefits of the regulation and whether the regulation is technologically feasible, and to submit the analysis to the state board and the Legislature, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 39601.1 is added to the Health and Safety
- 2 Code, to read:
- 3 39601.1. (a) The state board shall submit any major regulation
- 4 to the Legislative Analyst's Office immediately upon the
- 5 completion of the state board's final staff report on the proposal.

1 (b) (1) The Legislative Analyst's Office shall prepare an
2 analysis of the major regulation proposed by the state board to
3 determine the costs and benefits of the regulation and whether the
4 regulation is technologically feasible. The Legislative Analyst's
5 Office may contract with an independent party to prepare the
6 analysis.

7 (2) The Legislative Analyst's Office shall submit the prepared
8 analysis to the state board and the Legislature within 90 days of
9 the date of receipt of the final staff report from the state board.

10 (c) The analysis shall include, but not be limited to, all of the
11 following:

12 (1) The estimated costs of compliance by the regulated
13 community with the standards in the major regulation.

14 (2) The estimated impact of the major regulation on state tax
15 revenue.

16 (3) A determination whether the pollution reduction assumptions
17 are accurate, feasible, and achievable.

18 (4) The estimated costs of alternative technologies.

19 (5) The estimated cumulative costs of all regulatory requirements
20 that become effective within the same year on the regulated
21 community.

22 (6) A determination whether the proposed adoption, amendment,
23 or repeal is technologically feasible.

24 (7) A determination whether any identified alternative
25 technologies are technologically feasible.

26 (d) The state board shall reimburse the Legislative Analyst's
27 Office for the cost to that office of the analysis. The state board
28 shall include the cost of reimbursement in the cost of developing
29 the regulation.

30 (e) As used in this section, "major regulation" means any
31 proposed adoption, amendment, or repeal of a regulation that will
32 have a total economic impact of ten million dollars (\$10,000,000)
33 or more on state government, business enterprises, or citizens, as
34 estimated by the state board.